

22-cv-8847 (PKC) (SN) Peter Bright vs United States
 19-cr-0521 (PKC) United States vs Peter Bright

2022-12-17

Dear Judge Castel:

The government has asked for a 45-day extension to the December 19, 2022 deadline for its response to my § 2255 petition. Naturally, I am eager to have this petition adjudicated as soon as possible. As such, I am disappointed that the government chose to wait 40 days into its 60-day reply window to make this request; Mr Li's death penalty trial surely did not come as a surprise, and so the need for a new prosecutor, with the additional time that might require, should have been apparent much earlier.

However, given the apparent need for a delay, I wish to renew my request for the appointment of counsel, so that this delay can at least serve a dual purpose, viz. that it provide an opportunity for my counsel to get up to speed with the trial record in parallel to the government's so-doing.

I do not believe that appointing counsel at this stage would be premature; in making its assignment to Magistrate Judge Netburn, the Court has already stated that this is a petition that must be judged on its merits (rather than facing summary dismissal due to an appeal waiver or out-of-time petition); and hence it seems more likely than not that an evidentiary hearing of some kind will be necessary. Such a hearing necessitates the appointment of counsel, and I am no more able to pay for private counsel now than I was when I was arrested. Appointing counsel now would streamline proceedings and reduce the likelihood of any further delays.

Respectfully,

Peter Bright

Peter Bright

Taking account of the factors in Cooper v. Hodge, the petitioner has not demonstrated a need for the appointment of counsel. His motion is straightforward and well presented. Resubmit to the court. SO ORDERED. 1-3-23

for appointment of counsel is

*RECEIVED
 10:00 AM
 JAN 3 2023
 U.S. DISTRICT COURT
 DISTRICT OF COLUMBIA*